

**To:** Lauren Charney/R2/USEPA/US@EPA;[LuisMendez@ongov.net]; LuisMendez@ongov.net>[]  
**Cc:** "Kuehler, Natalie \ (USANYS\)" [Natalie.Kuehler@usdoj.gov]; am Tames/R2/USEPA/US@EPA[]  
**From:** "Kevin C. Murphy"  
**Sent:** Tue 5/17/2011 5:28:54 PM  
**Subject:** RE: Ley Creek: Information and Data Requests  
[kmurphy@wladislawfirm.com](mailto:kmurphy@wladislawfirm.com)  
[kmurphy@wladislawfirm.com](mailto:kmurphy@wladislawfirm.com)

Lauren:

Since our e-mail identifying May 16, 2011 as the proposed date for the delivery of additional documents both personal and work obligations and the time necessary to secure and review potentially applicable documents have precluded our completion of this task and delivery this week. Luis and I anticipate the end of next week (May 27) is the likely date for materials to leave our offices. It is likely the material will be forwarded via CD. If we can beat that goal we will but current obligations indicate that is not likely. We will keep you informed if any additional modifications are necessary.

Kevin C. Murphy

The Wladis Law Firm, P.C.

P.O. Box 245, Syracuse, NY 13214

6312 Fly Road, East Syracuse, NY 13057

P 315/445-1700

F 315/251-1073

[kmurphy@wladislawfirm.com](mailto:kmurphy@wladislawfirm.com)

Circular 230 Notice: To insure compliance with requirements imposed by the Internal Revenue Service under Circular 230, we inform you that any United States tax advice included in this communication is not intended or written to be used, and cannot be used, for the purpose of: (1) avoiding federal tax-related penalties, or (2) promoting, marketing or recommending to another party any transaction or matter addressed herein.

CONFIDENTIALITY NOTICE: This e-mail transmission (including any attachment) is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this e-mail or any attachment is strictly prohibited. If you have received this transmission in error, please immediately notify the sender by return e-mail and delete all copies of this e-mail and any attachment.

From: Charney.Lauren@epamail.epa.gov [mailto:Charney.Lauren@epamail.epa.gov]  
Sent: Tuesday, May 17, 2011 11:40 AM  
To: Kevin C. Murphy; LuisMendez@ongov.net  
Cc: Kuehler, Natalie (USANYS); tames.pam@epa.gov  
Subject: Re: Ley Creek: Information and Data Requests

Hi Kevin and Luis,

In your message below, you indicated that the County would provide EPA with additional documents on the Lower Ley Creek dredging project by May 16. Please let me know when we can expect to receive these additional documents and how you will be sending them (email? disk?).

Thanks!  
Lauren

From: "Kevin C. Murphy" <KMurphy@WladisLawFirm.com>  
To: "Kuehler, Natalie \\\(USANYS\\)" <Natalie.Kuehler@usdoj.gov>, Lauren Charney/R2/USEPA/US@EPA  
Cc: <LuisMendez@ongov.net>  
Date: 04/06/2011 10:41 AM  
Subject: Ley Creek: Information and Data Requests

Dear Counsel:

Recently you both requested information concerning the dredging of Lower Ley Creek. The County has immediately available scanned electronic copies of what are identified as contract drawings. I will be forwarding those either via e-mail, if possible, or CD by absolutely no later than tomorrow (Lauren, I apologize for the delay).

The County is now undertaking a larger more global search for possible records. We anticipate finding more and being able to provide you with additional information, but it is a time consuming and tedious project (e.g., actually locating off-site or archived records w/o computer based indices, etc.) that is further complicated by existing schedules and commitments. All that being said, Luis and I believe we will be able to find, locate, secure and review any such records and provide you both with additional documents by approximately May 16, 2011. At this point, we would like to propose a meeting with each of you on or after that date to discuss whatever the documents reveal and the status of your separate, but very related, matters. If it turns out there are few if any documents or there is nothing to discuss, we can cancel any planned meeting.

Please let me know if the above is acceptable and if agreeable, possible dates and times for a meeting. If a joint meeting were possible that would be agreeable to the County.

Thank you.

Kevin C. Murphy  
The Wladis Law Firm, P.C.  
P.O. Box 245, Syracuse, NY 13214  
6312 Fly Road, East Syracuse, NY 13057

P 315/445-1700  
F 315/251-1073  
kmurphy@wladislawfirm.com

Circular 230 Notice: To insure compliance with requirements imposed by the Internal Revenue Service under Circular 230, we inform you that any United States tax advice included in this communication is not intended or written to be used, and cannot be used, for the purpose of: (1) avoiding federal tax-related penalties, or (2) promoting, marketing or recommending to another party any transaction or matter addressed herein.

CONFIDENTIALITY NOTICE: This e-mail transmission (including any attachment) is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this e-mail or any attachment is strictly prohibited. If you have received this transmission in error, please immediately notify the sender by return e-mail and delete all copies of this e-mail and any attachment.